

AMENDED IN SENATE FEBRUARY 8, 2006

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1157

Introduced by Assembly Member Frommer

February 22, 2005

An act to add ~~Section 14526.7 to the Government Code Chapter 21 (commencing with Section 2705) to Division 3 of the Streets and Highways Code~~, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1157, as amended, Frommer. ~~State highways: performance measures. Rail Safety and Traffic Mitigation Bond Act of 2006.~~

Existing law requires the Public Utilities Commission to develop and maintain a priority list of railroad-highway grade crossings determined to be most urgently in need of separation or alteration. Existing law requires each annual proposed budget prepared by the Department of Transportation to include \$15 million for grade separation projects. Existing law requires the California Transportation Commission to allocate available funding to projects pursuant to the priority list prepared by the Public Utilities Commission, and requires certain matching funds to be provided from nonstate funds and by the affected railroad.

This bill would state the intent of the Legislature to enact legislation providing for a general obligation bond act in the amount of \$500 million to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the

Public Utilities Commission, with funds to be allocated by the California Transportation Commission. The bill would make legislative findings and declarations in that regard.

~~Existing law gives the Department of Transportation full possession and control of the state highways. Existing law requires the department to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system.~~

~~This bill would require the department to develop specified performance measures to establish an evaluation and rating of the overall quality of the state highway system, and would require an annual report to the Legislature in that regard.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) For decades, the greatest cause of fatalities associated*
4 *with railroads in the United States has been collisions between*
5 *trains and motor vehicles at railroad-highway grade crossings.*
6 *Collisions at these crossings are the most critical rail-related*
7 *safety problem.*

8 *(b) The California Highway Patrol, in its collision and train*
9 *accident report, has identified over 700 collisions with more than*
10 *600 victims either injured or killed since 2001.*

11 *(c) According to the Federal Railroad Administration,*
12 *California ranks fifth in the nation for public grade crossing*
13 *accidents and fatalities with 130 collisions in 2004 alone.*

14 *(d) An incident in Glendale in January 2005, involving a*
15 *motor vehicle and a passenger train resulted in 11 fatalities and*
16 *over 180 injuries. This incident was the worst rail collision in the*
17 *United States since March 15, 1999.*

18 *(e) It is therefore appropriate to provide funding to eliminate*
19 *the most dangerous railroad-highway grade crossings in the*
20 *state.*

21 *SEC. 2. Chapter 21 (commencing with Section 2705) is added*
22 *to Division 3 of the Streets and Highways Code, to read:*

1 *CHAPTER 21. RAIL SAFETY AND TRAFFIC MITIGATION*
2 *PROGRAM*

3
4 *Article 1. General Provisions*

5
6 2705. *This chapter shall be known and may be cited as the*
7 *Rail Safety and Traffic Mitigation Bond Act of 2006.*

8 2705.01. *As used in this chapter, the following terms have the*
9 *following meanings:*

10 (a) *“Commission” means the California Transportation*
11 *Commission.*

12 (b) *“Fund” means the Rail Safety and Traffic Mitigation*
13 *Fund.*

14 (c) *“Program” means the Rail Safety and Traffic Mitigation*
15 *Program.*

16
17 *Article 2. Rail Safety and Traffic Mitigation Program.*

18
19 2705.04. *It is the intent of the Legislature to enact legislation*
20 *providing for a general obligation bond act in the amount of five*
21 *hundred million dollars (\$500,000,000) to be submitted to the*
22 *voters for approval. The purpose of the program to be funded by*
23 *the bond funds is to eliminate the most dangerous*
24 *railroad-highway grade crossings in the state, as identified on a*
25 *priority list by the Public Utilities Commission. It is the intent of*
26 *the Legislature that funds made available by this chapter be*
27 *allocated to eligible projects by the commission pursuant to the*
28 *priority list established by the Public Utilities Commission. It is*
29 *the intent of the Legislature that the priority list be submitted by*
30 *the Public Utilities Commission to the Legislature and the*
31 *commission within six months of voter approval of the bond act.*

32 *SEC. 3. It is the intent of the Legislature to submit a bond act*
33 *to the voters for approval in 2006.*

34 ~~SECTION 1. Section 14526.7 is added to the Government~~
35 ~~Code, to read:~~

36 ~~14526.7. (a) The department shall develop performance~~
37 ~~measures to establish an evaluation and rating of the overall~~
38 ~~quality of the state highway system. The measures shall~~
39 ~~demonstrate how resource, staffing, and programming decisions~~
40 ~~impact the overall condition of the state highway system. The~~

1 ~~measures shall address the number of distressed lane miles,~~
2 ~~bridge conditions, and life cycle costs.~~
3 ~~(b) In developing the performance measures specified in~~
4 ~~subdivision (a), the department shall consult with the following:~~
5 ~~(1) The commission.~~
6 ~~(2) Regional transportation agencies.~~
7 ~~(3) County transportation commissions.~~
8 ~~(4) The Institute of Transportation Studies at the University of~~
9 ~~California.~~
10 ~~(5) Departments of transportation from other states.~~
11 ~~(e) The department shall report annually, by no later than~~
12 ~~March 31, on its activities and findings under this section to the~~
13 ~~Assembly Committee on Transportation and the Senate~~
14 ~~Committee on Transportation and Housing. The report shall also~~
15 ~~be posted on the department's Web site.~~